Form PTO-1449 Cited references

Declaration of Biological Deposit

nucleotide and/or amino acid sequence.

Drawings: Formal Informal (Correction)

Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing

ATTORNEY DOCKET NO.: 056291-5041

Application No.: 09/889,599

Page 2

3. Extension of Time

The proceedings herein are for a patent application and the pro	ovisions of 37 C.F.R.
§ 1.136(a) apply.	

- Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
one month two months three months four months five months	\$ 110.00 \$ 410.00 \$ 930.00 \$ 1,450.00 \$ 1,970.00	\$ 55.00 \$ 205.00 \$ 465.00 \$ 725.00 \$ 985.00

If an additional extension of time is required, please consider this a Petition therefor.

An extension for _____months has already been secured and the fee paid therefor of \$____ is deducted from the total fee due for the total months of extension now requested.

Extension of time fee due with this request: \$410.00

4. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CT ATMC AG	N AMENDED	· · · ·				
CLAIMS AS	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	64	minus	20	44	x \$18.00 each=	\$ 792.00
Independent Claims (37 C.F.R.§1.16(b))	1 .	minus	3	0	x \$84 each=	\$ 0.00
[] First presentation of Multiple dependent claim(s) \$280.00			\$ 0.00			
SUB-TOTAL =					\$ 792.00	
Fee for 2 Month Extenstion of Time					\$ 410.00	
Fee for Information Disclosure Statement					\$ 180.00	
Reduction by ½ for filing by a small entity					\$ 0.00	
TOTAL FEE =						\$ 1,382.00

6. Fee Payment

- The Commissioner is hereby authorized to charge \$1,382.00 to Deposit Account No. 50-0310 for Additional Claims Fee (\$792.00), Two-Month Extension of Time Fee (\$410.00) and Information Disclosure Statement Fee (\$180.00)
- The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully Submitted,

Morgan Lewis & Bockius LLP

Date:

Morgan Lewis & Bockius LLP

Customer No. 09629

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004 Tel. No.: 202-739-3000

DJB:mk

By:

Donald J. Bird

Registration No. 25,323

Tel. No.: (202) 739-5320

Fax No.: (202) 739-3001